

15w1641P

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

36

Application Number

09/937,357

Filing Date

09/24/2001

First Named Inventor

NICHOLAS F. D'ANTONIO

Art Unit

1641

Examiner Name

ANN Y. LAM

Attorney Docket Number

DA7119US (#90036)

ENCLOSURES (Check all that apply)

Fee Transmittal Form

Fee Attached
(credit card form)

Amendment/Reply

After Final
 Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete Application
 Reply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a
Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and Interferences

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify
below):

Post card receipt

Remarks

Please charge any additional fees or credit any
overpayment to applicant's attorney's Deposit Account
No. 08-2441.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------------------|----------|--------|
| Firm Name | D. Peter Hochberg Co., L.P.A. | | |
| Signature | | | |
| Printed name | D. Peter Hochberg | | |
| Date | 10 / 29 / 2005 | Reg. No. | 24,603 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Christine Kotran

Date

10 / 29 / 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450; Alexandria, VA 22313-1450.

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NOV 02 2005

14918

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 108-482).

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 150.00---

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 09/937,357 |
| Filing Date | 09/24/2001 |
| First Named Inventor | Nicholas F. D'Antonio |
| Examiner Name | Ann Y. Lam |
| Art Unit | 1641 |
| Attorney Docket No. | DA7119US (#90036) |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 08-2441 Deposit Account Name: D. Peter Hochberg Co., PA

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|----------------|
| | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fees Paid (\$) |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 200 100

Multiple dependent claims 360 180

| | | | | | | |
|--------------|-------------|--------------|----------|---------------|---------------------------|---------------|
| Total Claims | 83 | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Small Entity |
| 89 | - 20 x HP = | 6 | x 25.00 | = 150.00--- | Fee (\$) | Fee Paid (\$) |

HP = highest number of total claims paid for, if greater than 20

| | | | | | | |
|---------------|------------|--------------|----------|---------------|----------|---------------|
| Indep. Claims | 23 | Extra Claims | Fee (\$) | Fee Paid (\$) | Fee (\$) | Fee Paid (\$) |
| 17 | - 3 x HP = | — | x — | = — | — | — |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| | | | | |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
| — | - 100 = | / 50 = (round up to a whole number) | x — | = — |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

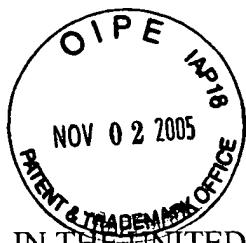
Other: _____

SUBMITTED BY

| | | | | | |
|-------------------|--------------------------|--------------------------------------|--------|-----------|---------------------|
| Signature | <i>D. Peter Hochberg</i> | Registration No. (Attorney/Agent) | 24,603 | Telephone | 216-771-3800 |
| Name (Print/Type) | D. Peter Hochberg | | | | Date 10 / 29 / 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nicholas F. D'Antonio, John T. Wagner and Richard O. Colvin
Serial No. : 09/937,357 / Conf. No. 7922
Filed : September 24, 2001
Title : HYPODERMIC INJECTION SYSTEM
Examiner : Ann Y. Lam
Group : 1641
Attorney Docket : DA7119US (#90036)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-4150

A M E N D M E N T

Sir:

Responsive to the Office Action mailed August 9, 2005, please amend the above-identified application without prejudice as follows:

11/03/2005 JBALINAN 00000032 09937357

01 FC:2202

150.00 OP